

*The Form of a Superfedeas by a Justice of Peace.*  
 C H A P. C L X X V. V. 122.

**R**ichard Love Doctor of Divinity, and Vice-chancellor of the University of Cambridge, one of the Justices of Peace of our Sovereign Lord the Kings Majesty within the County of Cambridge, to the Sheriff, Bailiffs, Constaibles, and other the faithful Ministers of our Sovereign Lord within the said County, and to every of them, sendeth Greeting. Forasmuch as A. B. of, &c. Yeoman, hath personally come before me at W. &c. and hath found sufficient Surety, that \* is to say, C. D. and E. F. &c. Yeomen; either of the which hath undertaken for the said A. B. under the pain of 20 l. and he the said A. B. hath undertaken for himself under the pain of 40 l. that he the said A. B. shall well and truly keep the Peace toward our Sovereign Lord and all his liege people, and especially towards G. H. of, &c. Yeoman, and also that he shall personally appear before the Justices of the Peace of our said Sovereign Lord, at the next general Sessions of the Peace to be holden for this County of Cambridge. Therefore on the behalf of our said Sovereign Lord I command you, and every of you, that you utterly forbear and surcease to arrest, take, imprison, or otherwise by any means (for the said occasion) to molest the said A. B. and if you have (for the said occasion, and none other) taken or imprisoned him, that then you do cause him to be delivered and set at liberty without farther delay. Yeoven at Cambridge aforesaid, under my Seal, this last day of July, &c.

\* The Superfedeas is good though it name neither the Sureties nor the Sum.

*Alias.*

**H**enicus Bing *Serviens ad Legem, unus Justic' Dom' Regis, &c. Vic. ac omnibus & singulis Ballivis, Ministris, & fidelibus dict' Dom' Regis in eodem Com', & eor' cuilibet salutem. Quia J. S. suffic' secur' de Pace (& de bono gestu suo) erga dict' Dom' Regem, & precipue erga W. T. coram me invenit: Ideo ex parte dict' Dom' Regis vobis & cuilibet vest' mando & precipio, firmiter injungens, quod de ipso J. S. pro hujusmodi secur' Pacis inveniend' cap' sive arrestand' omnino supersed': Et si ipsum J. S. ea occasione ceperitis sive imprisonaver', tunc eum deliberari fac', si ipse ea occasione, & non alia, detineatur. Teste, &c.*

If the Prisoner be in the Gaol, see another Form, *hic postea tit. Liberate.*

Note that such *Superfedeas* is good, though it name neither the Sureties nor the Sums wherein they are bound: but yet it is the better Form to express them both, for then if it shall appear that the Sureties are not sufficient Men, or not bound in sufficient Sums, better Sureties may be taken. And accordingly all the *Superfedeas* issuing out of the Chancery, Kings Bench, and Court of Common Pleas, do rehearse the Names of the Sureties and the Sums: and those things which the higher Courts do use, are the Rules and Orders for others to follow, &c. 2 H. 7. f. 1. Fitz. *Superfedeas* 4.

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